



7/1 elect or
JAN 2003
PATENT

Customer No. 22,852
Attorney Docket No. 04329.2555

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hiroshi NOMURA) Group Art Unit: 2877
Serial No.: 09/816,164)
Filed: March 26, 2001)
For: METHOD OF MEASURING)
DISPLACEMENT OF OPTICAL)
AXIS, OPTICAL MICROSCOPE)
AND EVALUATION MARK)

Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement dated January 14, 2003, the period for response to which extends for one month thereafter, the Examiner required restriction under 35 U.S.C. § 121 between Group I, Claims 1-11 characterized by the Examiner as being drawn to a method of measuring a displacement of the optical axis of an optical microscope and an optical microscope; and Group II, Claims 12-14 characterized by the Examiner as being drawn to an evaluation mark. Applicants provisionally elect to prosecute Group 1, Claims 1-11.

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Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 14, 2003

By: Tara L. Bleech
Tara L. Bleech
Reg. No. 46,559

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